

DOCKET NO: 286088US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
ROSARIO LIZIO, ET AL. : EXAMINER: WESTERBERG, NISSA M.  
SERIAL NO: 10/573,019 :  
FILED: MARCH 22, 2006 : GROUP ART UNIT: 4173  
FOR: MULTILAYER DOSAGE FORM :  
COMPRISING A MATRIX THAT  
INFLUENCES RELEASE OF A  
MODULATORY SUBSTANCE

RESPONSE TO THE ELECTION OF SPECIES REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated January 16, 2008, requiring the election of a species, applicants provisionally elect, with traverse the following: as a specific matrix material for the inner controlling layer a copolymer from methyl methacrylate and ethylacrylate. Further, as a substance having a modulatory effect succinic acid or a salt thereof.

Matrix material – Claims 2-5

Modulatory effect – Claims 6-9

**Remarks/Arguments** begin on page 2 of this paper.